

IN THE UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF MISSISSIPPI

IN RE: Community Home Financial Services, Inc.

DEBTOR

CASE NO. 12-01703-NPO

CHAPTER 11

Community Home Financial Services, Inc. and  
Kristina M. Johnson, Trustee

RESPONDENTS

Wayne County Treasurer

MOVANT

**MOTION FOR RELIEF FROM AUTOMATIC STAY AND ABANDONMENT  
AND FOR OTHER RELIEF**

COMES NOW Wayne County Treasurer (the “Movant” or “WCT”) in Michigan, by counsel, and moves the Court to grant relief from the automatic stay, and for other relief including abandonment of property from the estate, as follows:

1. Community Home Financial Services, Inc. (the “Debtor”) filed its petition under Chapter 11 of the Bankruptcy Code on May 23, 2012 (the “Bankruptcy Case”). Kristina M. Johnson was subsequently appointed as Trustee.

2. By operation of 11 U.S.C. 362, Movant is prohibited from commitment of any judicial proceeding against the Debtor, any act to obtain possession of property of the estate, or any act to enforce any lien against the property of the estate.

3. The Bankruptcy Court has jurisdiction over this proceeding pursuant to 11 U.S.C. 362.

4. Movant is owed property taxes in the approximate amount of \$7,407.67, for the following described real property situated at 11950 Miami, Detroit, MI 48217 (“Subject Property”) in Wayne County, Michigan:

E MIAMI THAT PT 302 THRU 300 DESC AS W 56.57 FT ON S LINE BG W  
37.30 FT ON N LINE MARION PARK NO 1 L55 P25 PLATS, W C R 20/456  
56.57 IRREG

true and correct copy of the Tax Statement is attached hereto as composite “Exhibit A.”

5. Debtor is the mortgage company and lienholder on the Subject Property. Linda Sanders is the Subject Property owner. A true and correct copy of the Title Report for the Subject Property is attached hereto as composite “Exhibit B.”

6. The Debtor participated in an Interest Reduction Stipulated Payment program (the “IRSPA”) for the payment of the property taxes owed to Movant.

7. In March 2018, Debtor defaulted in the agreed payments to Movant under the IRSPA and remains in default. Movant has not received any payments on the property taxes due and owing since that time.

8. Movant estimates the value of the property to be approximately \$17,800.00, based on double the State Equalized Value.

9. Movant would show that sufficient cause exists for the termination, annulment or modification of the automatic stay as provided in 11 U.S.C. 362 (d)(1) because of the failure to pay the property taxes set forth above, and the interest of Movant is not adequately protected.

10. Movant would further show that sufficient cause exists for the termination, annulment or modification of the automatic stay as provided in 11 U.S.C. 362 (d)(2) because the Subject Property is not necessary for an effective reorganization.

11. Based on the foregoing, Movant should be granted relief from the automatic stay imposed by 11 U.S.C. 362, and Movant would urge the Court to terminate, modify or lift the automatic stay and abandon the subject property from the estate of the Debtor, so as to allow the Movant to pursue all remedies available to it under applicable state law, including initiation of foreclosure proceedings. Movant further asks for attorney fees and court costs incurred.

12. Movant requests that the order granting relief from the automatic stay entered in this case be excepted from the stay provisions of *Bankruptcy Rule 4001(a)(3)*.

WHEREFORE, Movant files this Motion and prays that the automatic stay imposed by 11 U.S.C. 362 be terminated, modified or lifted, and said Subject Property be abandoned from the estate, so as to allow Movant pursue its remedies and to initiate foreclosure proceedings against the Subject Property, and for attorney's fees and costs incurred, and Movant requests that the 14-day stay imposed by FRBP 4001(a)(3) be waived. Movant further requests such other relief to which it may be entitled.

Respectfully submitted,

WAYNE COUNTY TREASURER

By: /s/ Olivia Spencer, Its Attorney

KING & SPENCER, PLLC  
POST OFFICE BOX 123  
JACKSON, MS 39205  
PHONE: 601-948-1547, MB #104439  
spencer@kingandspencer.net

**CERTIFICATE OF SERVICE**

I, Olivia Spencer, Attorney for Wayne County Treasurer, do hereby certify that I have this day caused to be served, via CM/ECF, a true and correct copy of the above and foregoing Motion to:

Kristina M. Johnson  
kjohnson@joneswalker.com  
TRUSTEE & ATTORNEY FOR TRUSTEE

Laura F Ashley  
lashley@joneswalker.com  
ATTORNEY FOR TRUSTEE

John D. Moore  
john@johndmoorepa.com  
ATTORNEY FOR TRUSTEE

USTPRegion05.JA.ECF@usdoj.gov  
Office of the U.S. Trustee

ALL PARTIES REGISTERED FOR CM/ECF NOTIFICATIONS.

And by United States Mail, postage prepaid and properly addressed to:

Linda Sanders  
11950 Miami  
Detroit, MI 48217

Community Home Financial Services, Inc.  
P. O. Box 23368  
Jackson, MS 39225

SO CERTIFIED this the 17<sup>th</sup> day of December, 2019.

/s/ Olivia Spencer

KING & SPENCER, PLLC  
POST OFFICE BOX 123  
JACKSON, MS 39205  
PHONE: 601-948-1547, MB #104439  
spencer@kingandspencer.net

**ERIC R. SABREE**  
 WAYNE COUNTY TREASURER  
 400 Monroe - 5th Floor  
 Detroit MI 48226-2942



**Mailing Address:** Sanders, Linda  
 11950 MIAMI ST  
 DETROIT MI 48217

Make checks payable to:  
 Wayne County Treasurer

Taxpayer Information:  
 (313) 224-5990

Office Hours:  
 8:00 a.m. - 4:30 p.m.  
 Monday through Friday

Web: treasurer.waynecounty.com  
 Email: taxinfo@waynecounty.com

## Tax Statement

**Number:** 2019 - 355383

**Date:** 12/17/2019



01-20018200-5



11977501

**Detroit Real Property Description:**

**Parcel ID:** 20018200-5

**SEV Amt:** \$8,900 - 2019

**Address:** 11950 Miami

**PRE:** 100%

Detroit, MI 48217

**Legal Description:** E MIAMI THAT PT 302 THRU 300 DESC AS W 56.57 FT ON S LINE BG W 37.30 FT ON N LINE MARION PARK NO 1 L55 P25 PLATS, W C R 20/456 56.57 IRREG

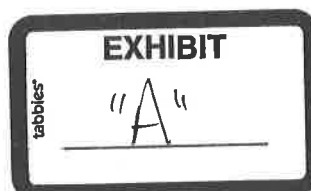
Tax Year	Base Tax	Total Amt Due	Status Description
2014	\$1,444.66	\$2,340.35	DELINQUENT REAL PROPERTY TAX
2015	\$1,867.32	\$2,800.98	DELINQUENT REAL PROPERTY TAX
2017	\$943.62	\$1,188.96	DELINQUENT REAL PROPERTY TAX
2018	\$945.07	\$1,077.38	DELINQUENT REAL PROPERTY TAX

**Total: \$5,200.67 \$7,407.67** If this property is not foreclosed and is available for payment the amounts presented here are good on or before 12/31/2019.  
 By providing these figures this office does not represent that this property can be redeemed or reclaimed.

Bankruptcy claims filed for years (unpaid): 2014

Created by: 238

Page 1 of 1



8/27/2019

Search Results

Return to Search Results

You searched for: RecordingDateID >= Fri Jan 01 00:00:00 EST 1960 and <= Tue Aug 20 00:00:00 EDT 2019 and HouseNumber=11950 and StreetName=miami and Document Types to Search Over:=20 DAY, ABANDONED PROPERTY PROJECT, ABANDONMENT OF EASEMENT, ABSTRACT OF JUDGEMENT, ABSTRACT OF JUDGEMENT RELEASE, and 216 more

13 items found, displaying all items.1

Description	Summary	Add All to My Images		
<b>QUIT CLAIM DEED</b> 99105673	Rec Date: 01/21/1999 L: 30096 P: 2527, ... Grantor: LLOYD LEON T SURV SINGLE, LLOYD LEON T JR AKA, LLOYD NAOMI C DECD, ... Grantee: LLOYD LEONIA JTWS, LLOYD LEONIA JTWS Muni: DETROIT, ... Address: 11950 MIAMI, ... Tax ID: 20/018200-5, ... Subd: MARION PARK NO 1 Liber: 55 Page: 25 Lot: 300, ...	View Image Add to My Images		
<b>MORTGAGE</b> 200208006	Rec Date: 06/22/2000 L: 31879 P: 903, ... Grantor: SANDERS LINDA SINGLE Grantee: FIRST FRANKLIN FINANCIAL CORP Muni: DETROIT, ... Address: 11950 MIAMI, ... Tax ID: 20/018200-5, ... Subd: MARION PARK NO 1 Liber: 55 Page: 25 Lot: 300, ...	View Image Add to My Images		
<b>MORTGAGE</b> 200207993	Rec Date: 06/22/2000 L: 31879 P: 883, ... Grantor: SANDERS LINDA SINGLE Grantee: FIRST FRANKLIN FINANCIAL CORP Muni: DETROIT, ... Address: 11950 MIAMI, ... Tax ID: 20/018200-5, ... Subd: MARION PARK NO 1 Liber: 55 Page: 25 Lot: 300, ...	View Image Add to My Images		
<b>WARRANTY DEED</b> 200269428	Rec Date: 08/23/2000 L: 32168 P: 428, ... Grantor: LLOYD LEONIA J JTWS, LLOYD LEON L JTWS, TURNER ALICE E APA Grantee: SANDERS LINDA SINGLE Muni: DETROIT, ... Address: 11950 MIAMI, ... Tax ID: 20/018200-5, ... Subd: MARION PARK NO 1 Liber: 55 Page: 25 Lot: 300, ...	View Image Add to My Images		
<b>MORTGAGE</b> 207417449	Rec Date: 11/05/2007 L: 46783 P: 592, ... Grantor: SANDERS LINDA SINGLE Grantee: GOOD HOUSE KEEPING CONSTRUCTION Muni: DETROIT, ... Address: 11950 MIAMI, ... Tax ID: 20/018200-5, ... Subd: MARION PARK NO 1 Liber: 55 Page: 25 Lot: 300, ...	View Image Add to My Images		
<b>CERTIFICATE OF FORFEITURE OF REAL PROPERTY</b> 2010111477	Rec Date: 03/30/2010 L: 48436 P: 1165 Grantor: SANDERS LINDA Grantee: WAYNE COUNTY TREASURER Muni: DETROIT, ... Address: 11950 MIAMI, ... Tax ID: 20/018200-5, ... Subd: MARION PARK NO 1 Liber: 55 Page: 25 Lot: 300, ...	View Image Add to My Images		
<b>CERTIFICATE OF REDEMPTION</b> 2010264221	Rec Date: 07/08/2010 L: 48634 P: 261 Grantor: SANDERS LINDA Grantee: WAYNE COUNTY TREASURER Muni: DETROIT, ... Address: 11950 MIAMI, ... Tax ID: 20/018200-5, ... Subd: MARION PARK NO 1 Liber: 55 Page: 25 Lot: 300, ...	View Image Add to My Images		

EXHIBIT

tabbles

"B"



8/27/2019

Search Results

Description	Summary	Add All to My Images		
<b>CERTIFICATE OF FORFEITURE OF REAL PROPERTY</b> 2012128736	Rec Date: 04/04/2012 Grantor: SANDERS LINDA L: 49707 P: 895 Muni: DETROIT, ... Address: 11950 MIAMI, ... Tax ID: 20/018200-5, ... Subd: MARION PARK NO 1 Liber: 55 Page: 25 Lot: 300, ...	View Image Add to My Images		
<b>CERTIFICATE OF FORFEITURE OF REAL PROPERTY</b> 2013136804	Rec Date: 03/15/2013 Grantor: SANDERS LINDA L: 50592 P: 1020 Muni: DETROIT, ... Address: 11950 MIAMI, ... Tax ID: 20/018200-5, ... Subd: MARION PARK NO 1 Liber: 55 Page: 25 Lot: 300, ...	View Image Add to My Images		
<b>CERTIFICATE OF FORFEITURE OF REAL PROPERTY</b> 2014131446	Rec Date: 04/07/2014 Grantor: SANDERS LINDA L: 51416 P: 1346 Muni: DETROIT Address: 11950 MIAMI Tax ID: 20/018200-5 Subd: E MIAMI THAT PT 302 THRU 300 DESC AS W 56.57 FT ON S LINE BG W 37.30 FT ON N LINE MARION PARK NO 1 L55 P25 PLATS, W C R 20/456 56.57 IRREG Liber: 55 Page: 25 Lot: 300	View Image Add to My Images		
<b>CERTIFICATE OF REDEMPTION</b> 2014211181	Rec Date: 04/14/2014 Grantor: SANDERS LINDA L: 51476 P: 250 Muni: DETROIT Address: 11950 MIAMI Tax ID: 20/018200-5 Subd: E MIAMI THAT PT 302 THRU 300 DESC AS W 56.57 FT ON S LINE BG W 37.30 FT ON N LINE MARION PARK NO 1 L55 P25 PLATS, W C R 20/456 56.57 IRREG Liber: 55 Page: 25 Lot: 300	View Image Add to My Images		
<b>CERTIFICATE OF REDEMPTION</b> 2015416752	Rec Date: 11/04/2015 Grantor: SANDERS LINDA L: 52561 P: 867 Muni: DETROIT Address: 11950 MIAMI Tax ID: 20/018200-5 Subd: E MIAMI THAT PT 302 THRU 300 DESC AS W 56.57 FT ON S LINE BG W 37.30 FT ON N LINE MARION PARK NO 1 L55 P25 PLATS, W C R 20/456 56.57 IRREG Liber: 55 Page: 25 Lot: 300	View Image Add to My Images		
<b>CERTIFICATE OF REDEMPTION</b> 2016406208	Rec Date: 12/02/2016 Grantor: SANDERS LINDA L: 53384 P: 380 Muni: DETROIT Address: 11950 MIAMI Tax ID: 20/018200-5 Subd: MARION PARK NO 1 Liber: 55 Page: 25 Lot: 300	View Image Add to My Images		

13 items found, displaying all items.1

Return to Search Results

8/23/2000 – Warranty Deed FROM Leonia J Lloyd (JTWRS), Leona J Lloyd (JTWRS) & Alice Turner TO Linda Sanders (L32168 P428)

11/5/2007 – Mortgage from Linda Sanders to Good House Keeping Construction for 11950 Miami (L46783 P592)

1/4/2008 – Assignment of Mortgage recorded at Liber 46783 Page 592 from Good House Keeping Construction to Community Home Financial Services Inc. (Liber 46914 P181)

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## WARRANTY DEED - 200269428

**General Data**

Document Number  
200269428

Liber Page  
32168 428

Recording Date Entry Date  
08/23/2000 12:00:00 PM 08/29/2000 12:00:00 AM

Number Pages  
2

Dated Date Consideration (Loan Amount)  
04/27/2000 \$85,000.00

Recording Fee Tax Stamp Number  
\$0.00

Affidavit Filed? Consideration Total Fees  
☐

**Return Address(es)**

- [Return](#)
- [Alternate Address](#)

Return To  
GREAT LAKES TITLE

Address1

Address2

City State Zip

Mailback Date

**Names**

<u>Grantor</u>	<u>Grantee</u>
LLOYD LEONIA J JTWRs	SANDERS LINDA SINGLE
LLOYD LEONAL JTWRs	
TURNER ALICE E APA	

**Notary Name****Cross Reference**

Document Number	Liber	Page	Internal	Document Type
<input type="checkbox"/>				

**Legal**

Liber: 55 Page: 25 Subd: MARION PARK NO 1 Lot: 300 Municip: DETROIT TaxID: 20/018200-5 Street: 11950 MIAMI  
 Liber: 55 Page: 25 Subd: MARION PARK NO 1 Lot: 301 Municip: DETROIT TaxID: 20/018200-5 Street: 11950 MIAMI  
 Liber: 55 Page: 25 Subd: MARION PARK NO 1 Lot: 302 Municip: DETROIT TaxID: 20/018200-5 Street: 11950 MIAMI

**Notes**



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- [Search Tips](#)
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## MORTGAGE - 207417449

**General Data**

Document Number  
207417449

Liber Page  
46783 592

Recording Date Entry Date  
11/05/2007 01:39:00 PM 11/06/2007 11:12:54 AM

Number Pages  
7

Dated Date Consideration (Loan Amount)  
10/12/2007 \$11,776.00

Recording Fee Tax Stamp Number  
\$0.00

Affidavit Filed? Consideration Total Fees  
☐

**Return Address(es)**

- [Return](#)
- [Alternate Address](#)

Return To  
US RECORDINGS, INC

Address1  
2925 COUNTRY DRIVE

Address2

City State Zip  
ST PAUL MN 55117

Mailback Date

**Names**

**Grantor** **Grantee**

SANDERS LINDA SINGLE GOOD HOUSE KEEPING CONSTRUCTION

**Notary Name****Cross Reference**

Document Number	Liber	Page	Internal	Document Type
208011416	46914	181	<input type="checkbox"/>	

**Legal**

Liber: 55 Page: 25 Subd: MARION PARK NO 1 Lot: 300 Municip: DETROIT TaxID: 20/018200-5 Street: 11950 MIAMI

Liber: 55 Page: 25 Subd: MARION PARK NO 1 Lot: 301 Remarks: PART OF Municip: DETROIT TaxID: 20/018200-5 Street: 11950 MIAMI

Liber: 55 Page: 25 Subd: MARION PARK NO 1 Lot: 302 Remarks: PART OF Municip: DETROIT TaxID: 20/018200-5 Street: 11950 MIAMI

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## ASSIGNMENT - 208011416

General Data			
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Liber Page 46914 181		Return To US RECORDINGS INC  Address1 2925 COUNTRY DR STE 201 Address2	
Recording Date 01/04/2008 02:40:00 PM	Entry Date 01/11/2008 03:47:11 PM	City State Zip ST PAUL MN 55117	
Number Pages 3		Mailback Date	
Dated Date 10/29/2007	Consideration (Loan Amount) \$0.00		
Recording Fee \$0.00	Tax Stamp Number		
Affidavit Filed? <input type="checkbox"/>	Consideration Total Fees		

Names	
<b>Grantor</b> GOOD HOUSE KEEPING CONSTRUCTION SANDERS LINDA	<b>Grantee</b> COMMUNITY HOME FINANCIAL SERVICES INC

Notary Name

## Cross Reference

Document Number	Liber	Page	Internal	Document Type
207417449	46783	592	<input type="checkbox"/>	

Legal
Liber: 55 Page: 25 Subd: MARION PARK NO 1 Lot: 300 Municip: DETROIT
Liber: 55 Page: 25 Subd: MARION PARK NO 1 Lot: 301 Municip: DETROIT
Liber: 55 Page: 25 Subd: MARION PARK NO 1 Lot: 302 Municip: DETROIT

Notes